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From : Barry S. Wilson
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Date : July 6, 2006
Client/Matter No : 071949-6804
User ID No : 3067

U.S. Application No.: 10/603,891
Docket No.: 071949-6804

MESSAGE:

Please find enclosed:

Transmittal (2 pages);

Response to Restriction Requirement (2 pages).

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Cover Page 1 of 1

DLMR_263108.1

PAGE 1/5 * RCVD AT 7/6/2006 7:44:06 PM [Eastern Daylight Time] * SVR:USPTO-EFAXRF-6/30 * DNIS:2738300 * CSID: * DURATION (mm-ss):01:56

JUL 06 2006

Atty. Dkt. No. 071949-6804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Buechler et al.

Title: MARKERS FOR DIFFERENTIAL
DIAGNOSIS AND METHODS OF
USE THEREOF

Appl. No.: 10/603,891

Filing Date: 6/24/2003

Examiner: Jung, Unsu

Art Unit: 1641

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <i>Vanessa E. Agha</i> (Printed Name) <i>Vanessa E. Agha</i> (Signature) <i>July 6, 2006</i> (Date of Deposit)
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TRANSMITTALCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ [X] Response to Restriction Requirement (2 pages).

☒ [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 071949-6804

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date July 6, 2006

FOLEY & LARDNER LLP
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By Barry S. Wilson

Richard Warburg, Reg. No. 32,327
By Barry S. Wilson, Reg. No. 39,431
Attorney for Applicant

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Applicant: Buechler et al.

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RESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed May 4, 2006, Applicants hereby provisionally elects Group I, Claims 1-17, drawn to a method of analyzing a subject matter sample for a plurality of subject-derived markers selected to distinguish amongst a plurality of cardiovascular disorders, classified in class 435, subclass 13. Applicants further elect as species B-type natriuretic peptide, free and complexed cardiac troponin T, C-reactive protein, D-dimer, and pulmonary embolism. It is noted that B-type natriuretic peptide reads on claims 1-17, free and complexed cardiac troponin T reads on claims 1-17, C-reactive protein reads on claims 5-8 and 13-14, D-dimer reads on claims 9-14, and pulmonary embolism reads on claims 1-17.

No fee is believed due with this filing, however, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper

Atty. Dkt. No. 071949-6804

payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date

July 6, 2006

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